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identifying a group payment allocation, wherein the calculating the allocation of the payment is based at least in part on the identifying the group payment allocation.

IN THE ABSTRACT:

Please substitute the following paragraph, deleting the title of the invention, for the final paragraph under ABSTRACT OF THE INVENTION in the original specification. A clean copy of the substituted paragraph is represented herein and a marked up copy is included at the end of this Amendment under *Version With Markings To Show Changes Made*.

ABSTRACT OF THE INVENTION

Processing a group of accounts corresponding to different products. A group of accounts are linked together to create a group so that group processing can be performed at the group level while independent processing of the accounts is performed at the account level. Typically, a group includes a key account and one or more dependent accounts. The relationships between the accounts and the group are flexible to accommodate changes in the status of the group cardholders. Group level processing includes authorizing transactions, applying group payments, creating group statements, creating cardholder communications, and administering reward programs. Each dependent account has an associated dependent strategy that specifies group level processing options for the dependent account.

REMARKS

Claims 9-22 have been examined in this application. Claim 9 has been amended in response to the rejection based on 35 U.S.C. §112, claims 23-33 have been added, and no claims have been canceled. Hence, claims 9-33 remain pending. Reconsideration of the subject application is respectfully requested.

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Claim 9 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9-22 have been rejected under 35 U.S.C. § 112, first paragraph, as not providing enablement for "products".

Claims 9-22 have been rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Michael J. Picciallo, U. S. Pat. No. 6,044,360 in view of Musmanno et al., U. S. Pat. No. 5,826,243.

#### CLAIM REJECTIONS UNDER 35 U.S.C. §§ 112 SECOND PARAGRAPH

Claim 9 has been rejected under 35 U.S.C. § 112, second paragraph,. In response, claim 9 has been amended and is now allowable with respect to 35 U.S.C. § 112. Hence, Applicant respectfully requests that the rejection be withdrawn.

#### CLAIM REJECTIONS UNDER 35 U.S.C. §§ 112 FIRST PARAGRAPH

Claims 9-22 have been rejected under 35 U.S.C. § 112 first paragraph. In response, claim 9 has been amended to recite "credit products", and is now allowable with respect to 35 U.S.C. § 112. Hence, Applicant respectfully requests that the rejection be withdrawn.

#### UNDER 35 U.S.C. §§ 102 and 103

Claims 9-22 have been rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Michael J. Picciallo, U. S. Pat. No. 6,044,360 in view of Musmanno et al., U. S. Pat. No. 5,826,243. Applicant respectfully traverses the rejection with respect to independent claim 9, and other dependent claims.

Independent claim 9 provides, *inter alia*, a method of applying a group payment to a group of accounts spanning a plurality of credit products. The method includes

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receiving a payment and determining if the payment is a group payment. Other accounts included in a group payment allocation are determined, and the group payment is compared to the group balance. A group payment option is identified based on the comparison between the group payment and the group balance. The group payment allocation is calculated using the group payment option, the group payment, the group balance, and the balances of the accounts included in the group payment allocation. Further, the group payment is applied to the accounts included in the group payment allocation.

In stark contrast, Picciallo discloses a "system in which an account holder may electronically transfer funds from a preestablished account to a third party recipient with limits set on how the money may be sent and then receive a subsequent accounting of how the money was actually spent." Picciallo at col. 2, ls. 10-15; see also, Id. at col. 2, l. 17- col. 6, l. 65. More particularly, Picciallo discusses a method whereby funds are deposited in a first bank account, and some of those funds are transferred to a secondary bank account that is accessible to a third party. Id. at col. 9, ls. 32-35, see also col. 10, ls. 29-34.

From the Office Action of 3/27/02, it was not clear how art such as Picciallo would be used to form the basis of the rejection. Because of this, Applicant greatly appreciates the Examiner's willingness to grant an interview. In the interview, the Examiner noted that the "deposit" of Picciallo was being interpreted to be the "payment" recited in first element of claim 9. However, in light of the specification and claim 9 itself, such an interpretation is not within the bounds of the Law. Rather, the Law requires that the broadest reasonable interpretation consistent with the specification be used in examining the claims. See e.g., MPEP at §2111. As further described below, an interpretation that includes the deposit of Picciallo within the scope of the term payment as used in claim 9 is inconsistent with the specification, claim 9 itself, and the broadest interpretation that one of ordinary skill in the art would adopt.

More particularly, the specification makes clear that the term payment as used in claim 9 refers to receipt of funds that are to be applied to a credit account. See

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Application at Fig. 8, and p. 36, l. 14- p. 38, l. 15. As just one example, the specification provides that:

... the group payment is received. A determination is made . . . as to whether the payment is less than the group [Last Statement Balance "LSB"]. . . [Also,] a determination is made as to whether the group payment is less than the group [Minimum Payment Due "MPD" such that account delinquency is considered"]

Application at p. 36, ls. 15-40. Bank account deposits are not compared to last statement balances and/or minimum payments due. In fact, bank accounts do not even involve minimum payments due. Thus, the specification does not support an interpretation that a payment can be deposit as suggested.

Further, interpreting the term payment to be the deposit of Picciallo renders claim 9 illogical and utterly meaningless. Such an illogical interpretation would not be adopted by one of ordinary skill in the art, and thus finds no support in the Law. Among other things, as filed claim 9 includes "comparing the group payment to a group balance". Simply considered, neither the Application nor the cited art provide any basis for why deposits into bank accounts would ever be compared to a balance of the bank accounts. Thus, one of ordinary skill in the art would not understand the term payment to include the deposits of Picciallo. Rather, one of ordinary skill in the art would understand the term payment as used in claim 9 to include providing funds to either in whole or in part satisfy a credit balance.

Without the proposed interpretation, Picciallo does not address even basic elements of claim 9. Accordingly, where such an interpretation is not supportable, no *prima facie* case has been made to support a rejection of claim 9 based on Picciallo. Hence Applicant respectfully requests withdrawal of the rejection and allowance of the claim 9 and all claims dependent therefrom.

Further, Picciallo fails to address many other elements of claim 9. As just some of many examples, Picciallo fails to disclose determining whether the payment is a group payment. Indeed, this would not even be necessary as Picciallo does not deal with receiving payments to be applied to satisfy balances of different accounts. Further,

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Piciallo fails to provide disclosure, teaching, or motivation to compare a group payment to a group balance. In fact, even identifying what the group balance is would not be germane to Piciallo, and thus it should not be surprising that Piciallo fails to disclose the comparison of a group payment with such a group balance. As yet another example, selecting a group payment option is not disclosed. Further, Piciallo certainly could not disclose such a selection being based on a comparison which Piciallo also does not disclose. Further, Piciallo fails to disclose calculating the group payment allocation. Rather, Piciallo merely discloses transferring funds from one bank account to another consistent with the aforementioned explicit purpose of Picciallo. No calculation is required to perform such a task.

For a rejection to be proper under 35 U.S.C. §102, the cited reference must teach each and every limitation of the rejected claim. As previously stated, Piciallo fails to address a large number of the limitations included in claim 9. As such, the Office Action fails to provide a *prima facie* case in support of the rejection. Accordingly, Applicant respectfully requests that the rejection be withdrawn and claim 9 be allowed. Further, at least because claims 10-16 properly depend from claim 9, Applicant respectfully requests that the rejections to claims 10-16 also be withdrawn and the claims allowed. Further, for at least the reasons discussed above, independent claim 17 is also allowable, and as claims 18-22 properly depend therefrom, Applicant respectfully requests that the rejections to claims 17-22 also be withdrawn and the claims allowed.

Additionally, it should be noted that Piciallo fails to teach, disclose, or suggest the limitations provided in claims 10-22. In fact, in some instances it would not even make sense for Picciallo to disclose subject matter relevant to such limitations. Further, the Office Action of 3/27/02 fails to even address or acknowledge many of the limitations provided in claims 10-22. Thus, as with claim 9, a *prima facie* case rejecting claims 10-22 has not been made. For this additional reason Applicant respectfully requests that the rejections of claims 10-22 be withdrawn and the claims be allowed.

The addition of Musmanno et al. does nothing to address the aforementioned failure of Picciallo to anticipate Applicant's claims. Accordingly, the Office Action fails

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to provide a *prima facie* case in support of the rejection based on 35 U.S.C. §103 using Picciallo in view of Musmanno et al. For this additional reason, Applicant respectfully requests withdraw of all rejections based on 35 U.S.C. §103 and allowance of claims 9-22.

Claims 23-33 have been added. Each includes one or more limitations not taught by the cited art. Accordingly, claims 23-33 are also in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

  
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

In the specification, please replace the 2<sup>nd</sup> full paragraph under RELATED APPLICATIONS with the following paragraph:

This U.S. patent application also relates to U.S. Patent Application Serial No. 09/298,505 entitled "Method for Linking Accounts Corresponding to Different Products Together to Create a Group," filed concurrently herewith (Attorney Docket No. [06042-0110] 20375-022100) and U.S. patent Application Serial No. 09/298,521 entitled "Method for Defining a Relationship Between an Account and a Group," filed concurrently herewith (Attorney Docket No. [06042-0150] 20375-023200). The present application and the related pending applications are commonly assigned to First Data Corporation.

All pending claims are set forth below with amendments as made herein.

9. (Once Amended Herein) A method for applying a group payment to a group, the group comprising a plurality of accounts spanning a plurality of credit products, comprising the steps of:

- receiving a payment;
- determining whether the payment is a group payment;
- [if the payment is a group payment, then] determining which accounts are included in a group payment allocation;
- comparing the group payment to a group balance;
- based upon the comparison between the group payment and the group balance, identifying a group payment option;
- calculating the group payment allocation using the group payment option, the group payment, the group balance, and the balances of the accounts included in the group payment allocation; and

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applying the group payment to the accounts included in the group payment allocation.

10. (As Filed) The method of Claim 9, wherein the step of determining which accounts are included in a group payment allocation comprises:

determining which accounts were included in the group balance on a last group statement.

11. (As Filed) The method of Claim 9, wherein the group balance is a group minimum payment due.

12. (As Filed) The method of Claim 9, wherein the group balance is a group last statement balance.

13. (As Filed) The method of Claim 9, wherein the group balance is a group delinquency amount.

14. (As Filed) The method of Claim 9, further comprising the steps of: determining whether the group payment is subject to an allocation instruction;

if the group payment is subject to the allocation instruction, then applying the group payment to the accounts in the group according to the allocation instruction.

15. (As Filed) The method of Claim 9, wherein the allocation instruction is a standing instruction that applies to all payments received.

16. (As Filed) The method of Claim 9, wherein the allocation instruction applies to a specific payment received.

17. (As Filed) A method for applying a group payment to a group, the group comprising a plurality of accounts spanning a plurality of products, including a key account and a dependent account, comprising the steps of:

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determining whether a payment is a group payment;  
determining whether payment for the dependent account is due from a primary owner for the group or from a dependent cardholder associated with the dependent account;

if payment for the dependent account is due from the group, then applying the group payment to the key account and the dependent account by:

comparing the group payment to a group balance;  
based upon the comparison between the group payment and the group balance, identifying a group payment option;

allocating the group payment between the key account and the dependent account based upon the group payment option, the group payment, the group balance, a key account balance and a dependent account balance.

18. (As Filed) The method of Claim 17, further comprising the step of:  
if the group payment exceeds the group balance, then allocating an amount of the group payment that exceeds the group balance to the key account.

19. (As Filed) The method of Claim 17, wherein the group balance is equal to a sum of a key account last statement balance and a dependent account last statement balance, further comprising the step of:

if the group payment equals the group balance, then allocating the payment to the key account and the dependent account to satisfy the key account last statement balance and the dependent account last statement balance.

20. (As Filed) The method of Claim 17, wherein the group balance equals a sum of a key account minimum payment due and a dependent account minimum payment due, further comprising the step of:

if the group payment equals the group minimum payment due, then allocating the group payment to the key account and the dependent account to satisfy the key account minimum payment due and the dependent account minimum payment due.

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21. (As Filed) The method of Claim 17, further comprising the steps of:  
if the group payment does not equal the group balance, then determining a  
second group payment option; and  
allocating the group payment to the key account and the dependent  
account in accordance with the second group payment option.

22. (As Filed) The method of Claim 17, further comprising the steps of  
determining whether the group payment is subject to an override instruction;  
if the group payment is subject to the override instruction, then allocating  
the group payment between the key account and the dependent account in accordance  
with the override instruction.

--62. (Added Herein) A method for applying payments to an account  
group, wherein the account group includes two or more credit accounts, the method  
comprising:

receiving a payment;  
comparing an amount of the payment to a group balance, wherein the  
group balance is an aggregate of two or more balances associated with accounts of the  
account group;  
identifying a group payment option based at least in part on the  
comparison of the payment to the group balance; and  
allocating the payment to one or more accounts within the account group  
based at least on the group payment option.

63. (Added Herein) A method for applying payments to an account  
group of two or more credit accounts, the method comprising:

comparing an amount of a received payment to a group balance, wherein  
the group balance is an aggregate of two or more balances associated with accounts of the  
account group;

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identifying a group payment option based at least in part on the comparison of the payment to the group balance; and

allocating the payment to one or more accounts within the account group based at least on the group payment option.

64. (Added Herein) A method for applying payments to an account group, wherein the account group comprises two or more accounts, the method comprising:

comparing an amount of a received payment to a group balance, wherein the group balance is an aggregate of two or more balances associated with accounts of the account group; and

allocating the payment to one or more accounts within the account group based at least on the comparison of the payment to the group balance.

65. (Added Herein) A method for allocating a payment between two or more credit accounts combined in an account group, the method comprising:

determining whether the payment is a group payment applicable to the account group;

determining which accounts within the account group that the payment is to be applied;

comparing the payment to an aggregate of balances associated with two or more accounts within the account group; and

based at least in part upon the comparison, calculating the allocation of the payment between one or more accounts within the account group.

66. (Added Herein) A method for allocating payments for an account group, wherein the group of accounts comprises two or more accounts, the method comprising:

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calculating an allocation of a payment between two or more accounts within the account group; and  
allocating the payment to the according to the calculation.

67. (Added Herein) The method of claim 27, the method further comprising:  
receiving the payment.

68. (Added Herein) The method of claim 28, the method further comprising:  
determining whether the payment is a group payment.

69. (Added Herein) The method of claim 27, the method further comprising:  
determining which accounts within the account group are included in a group payment allocation.

70. (Added Herein) The method of claim 27, the method further comprising:  
comparing the payment to a group balance, wherein the calculating the allocation of the payment is based at least in part on the comparison of the payment to the group balance.

71. (Added Herein) The method of claim 31, the method further comprising:  
based at least in part on the comparison of the payment to the group balance, identifying a group payment option.

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72. (Added Herein) The method of claim 27, the method further comprising:

identifying a group payment allocation, wherein the calculating the allocation of the payment is based at least in part on the identifying the group payment allocation.—

In the specification, please replace the paragraph under **ABSTRACT OF THE INVENTION** with the following paragraph:

**ABSTRACT OF THE INVENTION**

**[METHODS FOR PROCESSING A GROUP OF ACCOUNTS CORRESPONDING TO DIFFERENT PRODUCTS]**

Processing a group of accounts corresponding to different products. A group of accounts are linked together to create a group so that group processing can be performed at the group level while independent processing of the accounts is performed at the account level. Typically, a group includes a key account and one or more dependent accounts. The relationships between the accounts and the group are flexible to accommodate changes in the status of the group cardholders. Group level processing includes authorizing transactions, applying group payments, creating group statements, creating cardholder communications, and administering reward programs. Each dependent account has an associated dependent strategy that specifies group level processing options for the dependent account.